

IN THE

UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Philip J. Pines

COPY OF PAPERS  
ORIGINALLY FILED

SERIAL NO.: 09/943,781

FILING DATE: August 30, 2001

TITLE: System and Method for Measuring Sample Arrival Rates  
on an Asynchronous Transport Network

ATTY.DKT.NO.: PA1589US

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BOX MISSING PARTS  
COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING  
PARTS OF AN APPLICATION**

SIR:

In response to the Notice to File Missing Parts of Nonprovisional Application, dated October 4, 2001, received in the above-identified patent application, Applicant is enclosing:

- (1) a copy of the Notice to File Missing Parts;
- (2) a signed Declaration and Power of Attorney;
- (3) a check for \$130.00 to cover the filing fee and surcharge.

Applicant claims small entity status

Please charge our Deposit Account No. 06-0600 for any additional fees which may be required or credit our account for any overpayment.

Respectfully submitted,

Philip J. Pines

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ORIGINALLY FILED

Date: 12/3/01

By: Susan Yee

Susan Yee, Reg. No. 41,388

Carr & Ferrell, LLP

2225 East Bayshore Road, Suite 200

Palo Alto, CA 94303

TEL: (650) 812-3400

FAX: (650) 812-3444

#### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: BOX MISSING PARTS, Commissioner for Patents, Washington, D.C. 20231, on the date printed below:

Date: 12/3/01

Susan Yee  
Susan Yee



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Sector #3

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# **TRANSMITTAL FORM**

*(to be used for all correspondence after initial filing)*

<b>TRANSMITTAL FORM</b>		Application Number 09/943,781  Filing Date August 30, 2001  First Named Inventor Philip J. Pines  Group Art Unit 2152 <b>COPY OF PAPERS ORIGINALLY FILED</b>  Examiner Name Unknown	
Total Number of Pages in This Submission	9	Attorney Docket Number	PA1589US

**ENCLOSURES (check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <b>Postcard, Check, Declaration</b>
Remarks  Total page number does not include postcard and check(s), if applicable.		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

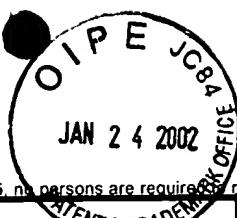
Firm or Individual name	Carr & Ferrell, LLP Cust. No. 22830
Signature	<i>Susan Yee, Reg. No. 41,565</i>
Date	12/3/01

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: **12/3/01**

Typed or printed name	Susan Yee	Date
Signature	<i>Susan Yee</i>	12/3/01

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



PTO/SB/17 (10-01)

Approved for use through 10/31/2002. OMB 0651-0032  
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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

**TOTAL AMOUNT OF PAYMENT** (\$ 130.00)

Complete if Known	
Application Number	09/943,781
Filing Date	August 30, 2001
First Named Inventor	Philip J. Pines
Examiner Name	Unknown
Group Art Unit	2152
Attorney Docket No.	PA1589US

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## METHOD OF PAYMENT

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 06-0600  
Deposit Account Name Carr & Ferrell, LLP

Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17

Applicant claims small entity status.  
See 37 CFR 1.27

2.  Payment Enclosed:

Check  Credit card  Money Order  Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee	
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	

**SUBTOTAL (1) (\$ 0)**

### 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent	- 20	= 0	= 0
Claims	- 3*	= 0	= 0
Multiple Dependent			= 0

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2) (\$ 0)**

\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	130
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,960	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	
Other fee (specify) _____			

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) (\$ 130)**

## SUBMITTED BY

Name (Print/Type)	Susan Yee	Registration No. (Attorney/Agent)	41,388	Telephone	(650) 812-3400
Signature	Date 12/31/01				

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

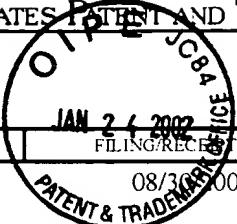
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/943,781	08/30/2001	Philip Pines	PA1589US



CONFIRMATION NO. 2462

FORMALITIES LETTER



\*OC00000006846335\*

22830  
CARR & FERRELL LLP  
2225 EAST BAYSHORE ROAD  
SUITE 200  
PALO ALTO, CA 94303

Date Mailed: 10/04/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

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*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

01/28/2002 JADDO1 00000100 09943781

01 FC:105

130.00 0P